

## THE STUDY OF BIODIVERSITY AND WILDLIFE PROTECTION ACT OF INDIA

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### ABSTRACT

India's rich flora and wildlife, especially its wild life, is a precious natural treasure. One of the most biologically diverse places on Earth is India. This land is home to a wide variety of plant and animal life. Examples of wild animals include tigers, lions, wolves, bears, rhinoceroses, camels, monkeys, and a wide range of reptiles and amphibians. Several endangered species, like the Asian elephant, live in this country. Crocodiles, deer, and bison all call this land their home. Peafowl, pelicans, parakeets, woodpeckers, and flamingos are just a few of the birds that call this area home. The Western Ghats, the Easter Himalayas, and the Indo-Burma area are three of the world's 34 biodiversity hotspots, all of which may be found in India. To safeguard and conserve its rich and varied wildlife resource, India has created 104 National Parks, 18 bioreserves, and over 515 sanctuaries. The research paper deals with Biodiversity and Wildlife protection act of India.

### INTRODUCTION

One research shows that 12.6% of India's flora and fauna are endemic, with 7.6% of species being mammals, 6.2% being reptiles, and 6.0% being fish. In this nation, you may find local varieties of flowers. First passed in 1887, the Wild Birds Protection Act, 1887 was adopted by the British Indian Government to protect avian species.

The legislation aimed to prohibit the ownership and trade of certain species of wild birds that had been killed or caught during a nesting season.

The Wild Birds and Animals Protection Act was enacted in 1912 as a second statute to protect wildlife. With the adoption of the Wild Birds and Animals Protection (Amendment) Act of 1935, this was revised. The preservation of animal populations was not a top concern for the British Raj. Not until 1960 did people start paying attention to the need of protecting endangered animals and other wildlife.

### RESULTS AND OBSERVATIONS

#### Legislations and Constitutional Provisions for Protecting Wildlife in India:

The Indian legislature has taken a number of steps to protect and preserve wildlife. The Indian Penal Code of 1860 made no mention of wildlife conservation, but it did make animal killing and hunting a punishable offence. The British government made animal killing and hunting legal during the colonial era.

The British government also enacted several Acts that made animal hunting and poaching a punishable offence, such as the Elephant Preservation Act of 1879, which was enacted to protect and preserve elephants.

The Wildlife Birds Protection Act was enacted by the British government in 1887 to prohibit the purchase of any type of wild bird. However, due to inconsistencies, this Act was later r

pealed and replaced by The Wild Birds and Animals Protection Act, 1912. Prior to independence, the Indian Parliament passed several measures to protect wildlife.

After the independence period, there were no laws to protect and improve wildlife, and there was an urgent need to enact a law in this direction to stop the hunting and killing of poor voiceless animals. In 1960, the Protection of Cruelty to Animals Act was created by the Indian parliament, and in 1972, the Wildlife Protection Act was passed to ensure the survival of India's diverse animal population. When it came to protecting and preserving animals, the Wildlife Protection Act of 1972 was a game-changer. The Act was amended several times to ensure its effective implementation. The Indian Constitution's Articles 48A and 51A also address environmental and wildlife protection. Forests, rivers, animals, and lakes all fall within the purview of environmental stewardship that falls on the shoulders of the state and each individual Indian citizen.

### **Constitutional Provisions for the Wildlife Act**

The Indian government is expected under Article 48A of the country's constitution to maintain its residents' more right than wrong to a spotless and solid climate, as well as to protect the nation's creatures and woodlands. In 1976, electors supported the 42nd Amendment to the Constitution. In accordance with Article 51A, all Indians are required to uphold a number of obligations. One of them is to have empathy for all forms of life and to work to preserve the natural world, which includes forests, lakes, rivers, and animals.

### **Wildlife Protection Act, 1872**

The Government of India passed the Wildlife Protection Act in order to safeguard the country's biodiversity by preserving its many native animal and plant species. It wasn't until the time of Emperor Ashoka in the third century BC that a legislation concerning animal conservation and the environment was established, but the Wildlife Protection Act wasn't adopted until 1972.

In 1887, the English government in India passed the 'Wild Bird Security Act,' which was subsequently trailed by the 'Wild Birds and Creature Assurance Act, 1912,' which was amended in 1935. Thus, the Public authority of Autonomous India passed the Wildlife Protection Act in 1972 determined to ensure the security of creature and plant species. The Act has been constantly revised to reflect new needs and advancements, and to make provisions for improved implementation, with the most recent amendments being in 2006. The Indian Constitution also includes measures in sections 48, 48A, and 51A (g) that are intended to safeguard cultural artefacts of national significance. One of the goals of the 1972 Wildlife Protection Act is to provide the following:

1. the maintenance and care of natural environments.
2. the creation of preserves like parks and sanctuaries for animals and endangered species like tiger reserves;
3. zoo administration;
4. a ban on hunting, more controls on the animal trade, and stricter protections for endangered species
5. The creation of Conservation and Community Reserves Number Six

Aside from official wildlife conservation efforts or as required by the WP Act, all human activity is prohibited inside National Parks and Tiger Reserves. While grazing is illegal in national parks, the Chief Wildlife Warden may decide to allow it in sanctuaries. The Act also forbids the commercial exploitation of forest products inside national parks and wildlife refuges; however,

residents of these areas are allowed to harvest forest goods for subsistence purposes. Hunting the wild animals, birds, reptiles, amphibians, fish, crustaceans, insects, or coelenterates specified in the Act's four schedules is prohibited within or outside of protected areas. Three to seven years in jail and/or a fine of at least 10,000 rupees apply to convictions. The new community reserves and conservation reserves were created under the Wildlife Protection Act. As a result of these two new types of protected areas, local communities, civil society, and other stakeholders will be able to play a more active role in the conservation of many places that are in need of protection but do not fit neatly into the categories of national parks and wildlife sanctuaries. Without a proper authorization, the law forbids any interference with, or destruction of, animals or their natural environment.

### **Salient Features of Wildlife Protection Act**

This Act establishes a system of ecologically important protected areas throughout the nation and ensures the safety of many animal, bird, and plant species on the endangered list. Wildlife wardens and wildlife advisory boards have been established under the Act, together with their respective authority and responsibilities. Some wildlife species may only be bought, sold, and kept with the proper licencing provided by the Act. A complete inventory of the country's threatened species has finally been created. According to the law, poaching of endangered animals was outlawed. For India to join the Convention on International Trade in Endangered Species of Wild Fauna and Flora, this was a crucial step.

The Show on Worldwide Exchange Jeopardized Species (Refers to) is a peaceful accord intended to defend species in danger. It is otherwise called the Washington Show and was confirmed during a gathering of the Global Association for the Preservation of Nature. With its requirements in place, the Central Zoo Authority could be established. When it comes to zoos in India, one organisation is in charge of everything. Its roots may be traced back to 1992. It allows for protected areas like national parks and wildlife preserves to be created. With accordance with the Act's stipulations, it is forbidden to deal in protected species. Six schedules were established by the Act, each providing different levels of protection for different types of flora and animals. Items on Schedule I and Schedule II (Part II) are shielded from any legal consequences whatsoever, and those who commit crimes related to these schedules face the worst punishments possible. Species that are legal to hunt are also included. In order to carry out the goals of this Act, the National Board for Wildlife was established as a government agency. The Indian government has established this board to act as an advisory body on matters pertaining to wildlife protection. It is also the highest authority in terms of wildlife protection, including the evaluation and approval of national park and sanctuary projects. One of the Board's main responsibilities is to advocate for the protection and growth of animals and forests. The Prime Minister serves as its leader.

According to the Act, it is a legislative agency within the Ministry of Environment, Forests, and Climate Change charged with general supervision and coordination. In India, its mission is to improve tiger conservation efforts.

It gives legal backing to Project Tiger, an initiative that has saved the tiger from extinction since its inception in 1973.

**Protected Areas under the Wildlife Protection Act:** According to the Act, there are five distinct categories of conservation zones. Listed below are some of the characteristics they share.

- 1. Sanctuaries:** When animals who have been orphaned, abandoned, or otherwise mistreated are sent to a sanctuary, they are given a second chance at life in their natural habitat free from interference from humans. They are locations where endangered creatures may live free from human interference like hunting and poaching. There will be no disruptions to the species in any way. No animals are grown for human consumption at this facility. The State government issues a Notification declaring an area to be a wildlife sanctuary. A Resolution passed by the State Legislature is required to make any changes to boundaries. There is a strict no-kill policy in place at all sanctuaries. Scientists and biologists are allowed in so they may examine the ecosystem within. The public is welcome to attend them. But no one may enter without an attendant. Some people won't be allowed into the sanctuary, while others won't be allowed to stay there permanently. Government employees (and their families) and anyone with substantial interior real estate holdings are the only people admitted. Autotrafic riders are also welcome in sanctuaries since they are a necessary part of the infrastructure. As long as the animals' well-being is not compromised, human activities including wood harvesting, gathering minor forest products, and individual ownership rights are allowed.

The presence of humans is strictly restricted. It is possible to gain access to or live in a sanctuary with permission from the Central Untamed life Superintendent (who has the ability to control, make due, and keep up with all safe-havens) for the reasons for untamed life perception, logical examination, photography, the direct of legitimate business with those who live there, or tourism. In most cases, the limits of sanctuaries are not strictly enforced. Some sanctuaries, like the Indian Wild Ass Sanctuary in the Rann of Kutch in Gujarat and the Vedanthangal Bird Sanctuary in Tamil Nadu (India's oldest bird sanctuary), have been elevated to the status of National Parks.).
- 2. National Parks:** "The government has designated some land as national parks in order to protect its natural resources." Comparatively, a wildlife sanctuary has less rules than a national park. One of the primary goals of a national park is to preserve the natural ecosystem and the area's biodiversity. A State's government may designate some areas as national parks by publishing a formal Notification. The limits of a national park may not be changed without first receiving approval from the relevant state legislature. Their limits are well delineated. Private tenurial rights and grazing cattle are prohibited. In national parks, you may see the scenery, wildlife, and plants as they originally appeared. No human activity of any kind is permitted here. No individual may take any action that would result in the destruction, removal, or exploitation of any wildlife inside a National Park, or that would cause any harm to, or deprive of access to, the habitat of any wild animal within a National Park. The Wildlife Act prohibits the taking of any of the species listed in its Schedules. They can't just be called a "safe haven." Karnataka's Bandipur National Park, Jammu and Kashmir's Hemis National Park, and Assam's Kaziranga National Park are just a few examples.
- 3. Conservation Reserves:** The state government may designate a certain area as a conservation reserve after engaging with the local community and, in particular, individuals living near protected areas.
- 4. Community Reserves:** Any privately or publicly owned piece of land may be designated as a community reserve by the State government after consultation with the local community or a volunteer wildlife conservationist.
- 5. Tiger Reserves:** These preserves in India are specifically set aside to ensure the survival of

the endangered Bengal tiger. The National Tiger Conservation Authority makes the official recommendation for these declarations.

In accordance with the revised Wildlife Act, local populations are only allowed to gather forest produce for lawful reasons, and commercial exploitation of forest products is prohibited in wildlife sanctuaries and national parks. Wildlife Conservation Act Schedules the Wildlife Conservation Act has six schedules. The following table provides further information.

1	Schedule I	In this Schedule, we include all of the endangered species that we know of. These species need to be protected at all costs, and the severe consequences for breaking the law are outlined in this Schedule. Unless they constitute an immediate danger to human life, hunting any of the species listed in this Schedule is illegal in India. All of the species on this list are guaranteed complete safety. The sale of these creatures is strictly forbidden. To name only a few: the blackbuck, the himalayan brown bear, the tiger, the cheetah, the brow-antlered deer, the blue whale, the common dolphin, the clouded leopard, the hornbills, the indian gazelle, etc.
2	Schedule II	The animals on this list also have extensive protections. There are bans on buying or selling them. Only when human lives are in danger may they be hunted. Some examples are the Kohinoor (insect), the Assamese macaque, the Bengal hanuman langur, the large Indian civet, the Indian fox, the larger Kashmir flying squirrel, the Kashmir fox, etc.
3	Schedule III & IV	Species that are not in danger of extinction are included here. Included here are species with legal protections, although the penalties for breaking them are less severe than in Schedules 1 and 2. For instance, the hyena, the Himalayan rat, the porcupine, the flying fox, the Malabar tree toad, and so on.
4	Schedule V	There are huntable creatures listed here. Mice, rats, crows, fruit bats, and so forth are all good examples.
5	Schedule VI	Plants on this list are those that are strictly prohibited from being grown. Pitcher plants, blue vandas, red vandas, kuth, etc.

**Need for the Wildlife Protection Act:** Until the Parliament established this legislation in 1972, the conservation of wildlife (which is a subset of "forests") was the purview of individual states. It's now called "Concurrent List." Consider the following arguments in favour of a uniform set of laws covering the environment and animals throughout the country: India has an abundance of unique plant and animal species. Populations of several species were plummeting. Among them are claims made by naturalists like Edward Pritchard Gee, who estimated that there were over 40,000 tigers in India at the start of the 20th century. In 1972, however, a census indicated that this number had dropped to just approximately 1827. An ecological imbalance, which in turn impacts many elements of climate and the environment, may be brought on by a significant reduction in plant and animal life. The Wild Birds and Animals Protection Act of 1935 is the most recent law of its kind from the British Empire. Punishments for wildlife traffickers and poachers were too light compared to the enormous profits they make, thus this needed to be strengthened. Previous to this Act, India only had five national parks. Many people mistakenly believe that India does not have strict animal protection regulations. As a matter of fact, our laws

are among the toughest in the world when it comes to safeguarding endangered species and their natural environments. All environmentalists, if they want to do their part, must study up on these regulations. Before attempting any conservation measures in any landscape in India, it is also important to identify whose institutions manage the land. Before interacting with the appropriate authorities or agencies, it is important to determine the land's legal status. In order to curb the rampant poaching and deforestation, the Indian government has enacted a number of new laws. For example:

**1. The Wildlife (Protection) Act, 1972 (Last amended in 2006):** The Wildlife (Protection) Act (WLPA) of 1972 is a landmark piece of legislation that establishes robust protections for: Do not hunt signs Conservation efforts that prioritise managing existing habitats for animals The Creation of Wildlife Refuges Trade of animal parts and products should be regulated and controlled. Animal care at zoos and aquariums. Multiple types of protected areas and reserves are established by the WLPA. Parks that are protected by the federal government Home to Endangered Species National Parks With Big Cats Reserves Protected for Nature Conservation Public Funds for Reserves There is essentially little human activity allowed in national parks or Tiger Reserves, and that is by design. While grazing and private tenure are not authorised in national parks, the Chief Wildlife Warden has the power to allow it in designated sanctuaries. In national parks and wildlife refuges, commercial exploitation of forest products is now prohibited under the WLPA's revised language, and local populations are restricted to harvesting forest products for their own justifiable requirements. Inside or outside a safeguarded region, no wild vertebrate, bird, land and water proficient, reptile, fish, shellfish, bug, or coelenterate recorded in any of the WLPA's four Timetables might be pursued. The most extreme sentence for hunting is seven years in prison, with a base fine of 10,000 rupees. Local area stores and preservation saves are new sorts of safeguarded places presented by the WLPA. It is through these two sorts that neighbourhood individuals, partners, and common society might have a greater impact in preservation endeavours and save many spots of protection importance that can't be perceived as untamed life safe-havens or public parks. The state government, in collaboration with the Public and State Sheets for Untamed life, should evaluate whether the annihilation or redirection of natural life and its living space is important for development or better administration. Any land or interest procured under the WLPA is considered a buy for a public reason, and the regulation remembers complete methodology for managing legitimate freedoms for proposed safeguarded regions. The Planned Clans and Other Conventional Woods Inhabitants (Acknowledgment of Timberland Freedoms) Act, 2006, however, makes it imperative to observe a number of rules pertaining to tenurial and communal rights. The WLPA is significant not only for its provision of protected areas, but also for its cycles for the determination of state untamed life specialists and natural life sheets, its control of trade in natural life items, and its anticipation, recognition, and discipline of infractions. In 2006, the Public Tiger Protection Authority was made and Tiger Stores were told through another part (IV B) (before this correction, Tiger Stores were not characterized under the law, but rather were simply authoritative assignments to empower financing under Task Tiger). With the 2006 amendment, the Wildlife Crime Control Bureau (WCCB) was established to keep tabs on and regulate the poaching and illicit sale of wildlife. The WLPA allows for authorised forest department and police officials to investigate and prosecute criminal acts in a court of law.

**2. The Indian Forest Act (1927) and Forest Acts of State Governments** The Indian Forest Act

(1927) was passed with the intention of giving the state complete management of its forests in order to fulfil rising wood demands. Forest dwellers have long claimed historic ownership of these undocumented tracts. The Act legitimised the appropriation of the authority to replace or destroy customary rights and established a framework for defining and regulating state ownership. It's important to note that the Act allows for three distinct types of forests, namely Reserved forests, Managed forests, and Unmanaged forests. Woodlands in rural areas Those woods are protected, thank goodness. The highest level of protection is afforded to reserved woods. Rights in protected woods may only be obtained by inheritance or a government grant or contract. Cutting down trees, grazing cattle, extracting forest products, quarrying, fishing, and hunting are all illegal and carry stiff penalties. It's important to note that the Indian Forest Act is a federal statute, but that many states have also passed forest statutes with similarities and distinctions to the Indian Forest Act.

**3. The Forest Conservation Act (1980):** The national government embraced the Woods Protection Act in 1980, with a change in 1988, to dial back deforestation brought about by the arrival of forested regions by state legislatures for agribusiness, industry, and other advancement projects (allowed under the Indian Woodland Act). Under the Act, federal permission is required before any reserved forest may be de-reserved, any trees can be cut down, or the land can be used for anything other than forest production. The release of state-owned forestland for uses other than forestry has decreased dramatically as a result of this robust law. The federal government put severe limitations on timber extraction but did not devise a plan to compensate the states for the income loss. This discrepancy, along with rising land prices due to a larger population, has infuriated many state governments, leading to mounting calls for reform of the Act's stringent restrictions. Until further notice, the Indian Supreme Court has ruled that forestland cannot be used for anything other than forestry without first receiving government clearance.

**4. The Environment (Protection) Act (1986)** Significant provisions of the Environment Protection Act include the establishment of authorities with sufficient powers for environmental protection, the regulation of the discharge of environmental pollutants, the handling of hazardous substances, etc., and the coordination of the activities of the various regulatory agencies. Grasslands, wetlands, and coastal zones, among others, were able to get legal protection for the first time thanks to the Act, which recognised their importance.

**5. The Biological Diversity Act (2002)** The Convention on Biological Diversity of the United Nations includes India as a signatory. There is no conflict between the requirements of the Biological Diversity Act and those of any other legislation governing forests or wildlife; rather, the provisions of the Biological Diversity Act are in addition to and do not nullify those of any other law.

**6. National Wildlife Action Plan (2002-2016)** This new Plan, approved in response to the need for a shift in focus brought on by the growing commercial use of natural resources, the continuing development of human and animal populations, and shifting consumption patterns, has replaced the older Plan issued in 1983. In terms of real policies for the preservation of wildlife, the Plan comes closest to doing so. Endangered species and their habitats are prioritised, as well as the regulation of the international traffic in animal parts and the funding of educational opportunities and scientific investigation. The Plan endorses the creation of two new types of protected areas: "conservation reserves," which designate corridors connecting protected areas, and "community reserves," which will encourage greater community involvement in protected area management

by incorporating traditional or cultural conservation practises. Corridor areas are expected to be among these new types of protected spaces. The Plan addresses the requirements of local populations outside of protected areas and includes a discussion of the need of voluntary relocation and restoration of settlements inside protected areas. The Plan acknowledges the significance of compensating victims of human-wildlife conflict and places a focus on developing such systems. The revitalization of deteriorated ecosystems outside of protected areas is a primary objective.

**7. National Forest Policy (1998):** The National Forest Policy (NFP) of 1988 is an amendment to the Forest Conservation Act that emphasises forest preservation and responsible usage (1980). The previous forest policies had prioritised serving government interests and industrial requirements for forest products above local subsistence needs, thus this was a big change. The NFP focuses on preserving biodiversity, managing soil and water, increasing tree cover, making effective use of forest products, finding alternatives to wood, and involving the local population in these endeavours to ensure long-term success. One of the primary goals is to provide the needs of rural areas in terms of natural resources. The NFP gives credence to the customary rights and concessions of forest-dwelling people and asserts that the needs of the rural poor, rather than those of industry and commerce, should take priority when it comes to obtaining forest products. In this article, we saw that India has a number of laws, Acts, and policies in place to safeguard its forests and animals. It is up to regular people to research these thoroughly and put them to good use in lobbying efforts to protect natural resources.

**Judicial Response:** There were crucial issues about the preservation of wildlife that needed to be settled by the courts. Please review the following instances so that we may examine the court reaction:

**R. Simon vs. Union of India (AIR 1997 Delhi 301) Facts:** Petitioner challenged the constitutionality of the 1991 Amendment, which forbade the commercialization of animal goods, including the petitioner's own line of coats, hats, gloves, blankets, and snake skin handbags, shoes, and briefcases. It was argued that Art. 19(1) (protection)'s of the freedom to engage in any lawful trade or activity is being infringed upon by the aforementioned Act in an indirect and thus unconstitutional manner. In addition, there are certain wild creatures that are dangerous and useless. However, the Delhi High Court disagreed, ruling that all animals contribute to a healthy ecosystem and that it is the responsibility of every Indian to work toward bettering India's biodiversity. In addition, there is no such thing as an absolute basic right, and even those might be limited for the common good. Conserving wildlife is a hot topic for many people. For this reason, the 1991 Amendment is legal under the Constitution. Ivory Traders and Manufacturers Association v. Union of India reached a similar conclusion.

**Indian Handicrafts Emporium vs. Union of India (AIR 2003 SC 3240) Facts:** The petitioner in this case had argued that an amendment passed in 1991 prohibiting the commercialization of imported ivory violated the petitioner's fundamental rights. The constitutionality of this amendment was affirmed by the Supreme Court under Article 19. (6). The Court noted that an environmentally harmful trade may be subject to either strict regulations or outright bans. When weighing the public good against individual liberties, a blanket ban is the fairest option.

**Babran Kumawat vs. Union of India (AIR 2003 SC 3268) Facts:** Petitioner was a Mammoth ivory maker. By the time climate change became a factor, mammoths were extinct in Alaska and Siberia. A key issue was whether or not it would be deemed illegal imported ivory under the 1991



Amendment Act. The Supreme Court ruled that the 1991 Amendment outlaws the commercialization of all forms of ivory. In certain cases, mammoth ivory may substitute for elephant ivory. As a result, the petitioner must cease all mammoth ivory sales.

**Pradeep Krishen vs. Union of India on 10 May, 1996****Facts:** The petitioner contested an M.P. government directive that authorised the use of third-party contractors to harvest tendu leaves in communities adjacent to protected areas. There are eleven protected areas in the state of M.P., accounting for around 12.4 percent of the state's total forest cover. The petitioner claimed that several trees had been cut down because locals had moved there. The Supreme Court has ordered the government of Madhya Pradesh to immediately implement measures to prevent villagers and tribal members from entering protected areas.

**The Tarun Bharat Sangh, Alwar vs. Union of India (1993 SCR (3) 21) Facts:** Organization filed a case challenging the issuance of 215 mining permits in the Alwar district of Rajasthan, which is designated as a Tiger Reserve. All previously issued permissions in the tiger reserve region were revoked by the Supreme Court.

**The Importance of Wildlife Conservation:** The flora and fauna are the valuable and precious gifts of God to humanity. The comprehensive term 'wildlife' is not confined to wild animals, but it also includes all undomesticated species living on this planet which are birds, insects, and microscopic organisms, etc. All these species are as important as the humans living on this planet. Each one of them is essential to maintain the ecological balance on this earth. Fauna plays a crucial role in managing the environmental balance on this earth. It is very much essential as it provides us with several ways to survive on this planet. Wildlife conservation improves the quality of water, air, and food consumption. It also ensures that adequate resources are available for agricultural activities. Some animal species have become extinct in the last five decades, and the shocking but undeniable fact is that approximately 10,000 species become extinct each year.

Today's efforts to protect the fauna can bear fruits that will benefit future generations, which is why wildlife conservation is necessary for a variety of reasons. The promotion of medicinal value is one of the most important aspects of wildlife conservation. In the production of medicine, animals are just as important as forests. When it comes to the external benefits of a diverse fauna, it aids in boosting tourism, which is a beneficial factor for the GDP of a country.

**The Threats to Wildlife:** The Wildlife conservation is critical for maintaining ecological balance, but several factors endanger wildlife and the environment. Deforestation, overexploitation of natural resources, illegal use of animal skin and organs, and commercial poaching, hunting, or killing of animals are all major threats. One of the most serious threats to wildlife is the various types of human activities that destroy natural habitat for commercial and industrial purposes. The illegal use of animal skins or illegal wildlife for commercial purposes is growing by the day and has grown to become the world's fourth largest criminal industry.

Over the years, the destruction of forests, rivers, and lakes for industrial purposes has increased, resulting in environmental degradation and a serious threat to wildlife. The government and judiciary have made several interventions in this direction to protect the environment and wildlife by enacting various legislations, but it is still the greatest threat to wildlife due to a lack of awareness and other factors. People in a densely populated country like India exploit natural resources such as water and forests, as well as kill animals, to earn a living and other source of income.

**Steps taken by the Indian Government to Protect the Wildlife Project Tiger:** The central

government launched the Tiger Project in 1973 in order to preserve the tiger population and protect biologically important areas. Under this Act, tiger reserves are also registered in order to protect and preserve the tigers.

**The Project Elephant:** Organization filed a case challenging the issuance of 215 mining permits in the Alwar district of Rajasthan, which is designated as a Tiger Reserve. All previously issued permissions for activities inside the tiger reserve were nullified by the Supreme Court. To solve the problems of human-elephant conflict and to guarantee the long-term survival of elephants in their natural habitats, the federal government initiated Project Elephant in 1992. A This project also includes the creation of elephant corridors to provide an ecological path for elephants. In India, there are now 88 identified elephant corridors.

**The National Tiger Conservation Authority (NTCA):** When it comes to protecting tigers, it's important to have a legal entity on your side, which is why you'll find one at work in the form of the National Tiger Conservation Authority.

**The Indian Rhino Vision, 2020:** The Indian Rhino Vision programme was launched by the Assam Department of Forests and the Bodo Autonomous Council. The main goal of implementing this programme was to protect rhinos from anti-poaching, monitoring, and other threats.

**Sea Turtle Project** In 1999, the Ministry of Environment and Forestry launched the Sea Turtle Project in collaboration with UNDP to conserve the turtle and other marine turtles.

#### **Steps Taken for Protection of Endangered Species:**

Here are some of the measures the government has made to safeguard the country's dwindling population of rare and exotic animals:

- Under the Wild Life (Protection) Act of 1972, wild animals are protected from commercial exploitation and killing by law.
- There have been revisions and reinforcements to the Wild Life (Protection) Act of 1972. As of this writing, more severe punishments will be applied for anyone who break the law. Equipment, vehicles, and weapons used in the conduct of wildlife offences are subject to forfeiture under the Act (s).
- The Wild Life (Protection) Act, 1972 mandated the establishment of protected areas around the country to save wildlife and their natural environments. These areas include national parks, sanctuaries, conservation reserves, and community reserves.
- The Centrally Sponsored Schemes of 'Integrated Development of Animal Habitats,' 'Project Tiger,' and 'Project Elephant' give financial and technical help to state/union territory governments to better conserve and develop wildlife habitats.
- The Wild Life (Protection) Act of 1972 gives the CBI the authority to investigate and bring to justice anyone responsible for wildlife crime.
- There has been a request sent out to the governments of the States and Union Territories, asking them to increase the number of patrols and the strength of the field units guarding the Protected Areas.
  
- When it comes to combating poaching and the illicit trade in wildlife and its products, the Wildlife Crime Control Bureau was set up to help law enforcement agencies do a better job.

The officers of the state departments of forests and wildlife keep a close watch. Improvements in population numbers have been seen in targeted species like rhinoceros and lions, thanks to regular monitoring efforts. The Ministry of Environment and Forests offers financial aid to state governments for "Recovery Programs for Saving Critically Endangered Species" as part of the Centrally Sponsored Scheme of "Integrated Development of Wildlife Habitats." Unlike other sections, this one does not have its own funding mechanism. Species like the Snow Leopard, Bustards (including Floricans), River Dolphin, Hangul, Nilgiris Thar, Marine Turtles, Dugongs, and coral reefs, Edible-nest Swiftlets, Asian Wild Buffalo, Nicobar Megapode, Manipur Brow-antlered deer, Vultures, Malabar civet, Asiatic Lion, Swamp deer, and Jordon's Courser are currently prioritized for such recovery programs. Eight critically endangered species, including the Snow Leopard, Hangul, dugongs, edible-nest swiftlets, Asian wild buffalo, Manipur brow-antlered deer, vultures, and the Asiatic lion, have received financial support from the Centrally Sponsored Scheme "Integrated Development of Wildlife Habitats" (CSS-IDWH) under the component "Recovery Programs for Saving Critically Endangered Species."

**The Judiciary's Role in Protecting the Wildlife:** The Supreme Court of India has taken various measures to protect fauna bypassing several judgments in this direction. Public interest litigation was filed under Article 32 of the Indian Constitution in the case Tarun Bharat Singh Alwar v. Union of India in 1992 by a social action group that claimed local mining operations endangered local wildlife and the environment and that the state government had issued mining permits and approvals. When making its judgement, the Supreme Court cited Section 3 of the Environment Protection Act, 1986, which mandated the establishment of a committee charged with enforcing state notifications and safeguarding the area's flora and wildlife. In Chief Forest Conservator v. Nisar Khan, 2003, the appellant was a bird trader who specialised in selling rare birds that were otherwise difficult to come by in the Indian state of Uttar Pradesh. He could legally run this enterprise since he had a permit that would allow him to do so until the year 1990. The licencing office denied his renewal request because his business of raising captive birds, which also involved bird trapping, could not be sustained without a valid licence. At a later date, the respondent filed a writ case with the Supreme Court, claiming that this action violates his Article 19 right to engage in commercial activity. The Supreme Court ruled that the licencing agency had made the proper decision to deny. The Supreme Court of India ruled in the 2001 case Naveen Raheja v. Union of India that zookeepers have a responsibility to prevent the tiger from suffering and should not engage in any practises that might cause it distress. The Prevention of Cruelty to Animals Act of 1966 provides for criminal penalties for any act of animal cruelty.

## **DISCUSSION AND CONCLUSION**

The Indian Constitution grants us both Fundamental Rights and Fundamental Duties. It is the responsibility of all citizens, not just the government and the judiciary, to protect and preserve our wildlife. Wildlife conservation is critical to preserving the ecological balance and human survival. To protect and improve wildlife, public awareness is required so that people understand its significance. The government has attempted to protect wildlife through various laws and projects. It has implemented various schemes and projects throughout the country to raise public awareness about the value of wildlife.

The judiciary has also issued several decisions in this regard in order to raise public awareness about the importance of environmental and wildlife conservation. Humans are currently

exploiting natural resources, which has resulted in the extinction of plants and animals and has become a threat to wildlife and the environment. Every species is critical to maintaining the planet's ecological balance; if more efforts and effective measures are made in this direction, a significant population of wildlife will be restored. Our country's legislature and judiciary are both aware of the importance of wildlife. The survival of wildlife has been jeopardised as forest cover has shrunk. We must continue to do everything possible to protect wildlife. The Jodhpur court's conviction of Salman Khan for the death of a black insect sent a strong message about the dedication of the lower courts to the preservation of wild species in our nation, and it showed that no one is immune to the rule of law.

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